

## Index to Volume 1

DePaul College of Law

Follow this and additional works at: <https://via.library.depaul.edu/law-review>

---

### Recommended Citation

DePaul College of Law, *Index to Volume 1*, 1 DePaul L. Rev. (1952)

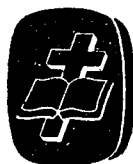
Available at: <https://via.library.depaul.edu/law-review/vol1/iss2/25>

This Index is brought to you for free and open access by the College of Law at Via Sapientiae. It has been accepted for inclusion in DePaul Law Review by an authorized editor of Via Sapientiae. For more information, please contact [digitalservices@depaul.edu](mailto:digitalservices@depaul.edu).

# DE PAUL LAW REVIEW

VOLUME 1

1951 - 1952



DE PAUL UNIVERSITY COLLEGE OF LAW  
CHICAGO, ILLINOIS

Copyright 1951, 1952  
By De Paul University

【 PRINTED 】  
【 IN U S A 】

## TABLE OF ARTICLES—AUTHORS

ANDERSON, ARTHUR. Mutual Assent in Unilateral Contracts since the Restatement	167
BANE, CHARLES A. Chattel Security Comes of Age: Article 9 of the Uniform Commercial Code	91
BAYNE, DAVID C. The Supreme Court and the Natural Law	216
BUSCH, FRANCIS X. The Art of Jury Persuasion	1
FAIRWEATHER, OWEN. Seniority Provisions in Labor Contracts: Social and Economic Consequences	191
GREGORY, CHARLES O. Gratuitous Undertakings and the Duty of Care	30
RAPACZ, MAX P. Origin and Evolution of Constructive Eviction in the United States	69
SEIDENSTICKER, WILLIAM E. The Illinois Post-Conviction Hearing Act: A Survey	243

## TABLE OF ARTICLES—TITLES

ART OF JURY PERSUASION, THE. <i>Francis X. Busch</i>	1
CHATTEL SECURITY COMES OF AGE: ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE. <i>Charles A. Bane</i>	91
GRATUITOUS UNDERTAKINGS AND THE DUTY OF CARE. <i>Charles O. Gregory</i>	30
ILLINOIS POST-CONVICTION HEARING ACT: A SURVEY. <i>William E. Seidensticker</i>	243
MUTUAL ASSENT IN UNILATERAL CONTRACTS SINCE THE RESTATEMENT. <i>Arthur Anderson</i>	167
ORIGIN AND EVOLUTION OF CONSTRUCTIVE EVICTION IN THE UNITED STATES. <i>Max P. Rapacz</i>	69
SENIORITY PROVISIONS IN LABOR CONTRACTS: SOCIAL AND ECONOMIC CONSEQUENCES. <i>Owen Fairweather</i>	191
SUPREME COURT AND THE NATURAL LAW. <i>David C. Bayne, S.J.</i>	216

## COMMENTS

ALLUREMENT ELEMENT AND ATTRACTIVE NUISANCE	263
ANALYSIS OF RECENT ILLINOIS LEGISLATION CONCERNING SEALS	250
CHANGE OF BENEFICIARY CLAUSES AND THEIR INTERPRETATION	268
COMPARATIVE INTELLIGENCE DOCTRINE IN EQUITY	258
CREATION OF JOINT TENANCIES IN PERSONAL PROPERTY	135
DISCRETIONARY ACTS OF FEDERAL EMPLOYEES UNDER THE FEDERAL TORT CLAIMS ACT	120
EXTENSION OF LIABILITY OF STOREKEEPERS TO THOSE RIGHTFULLY UPON THE PREMISES	130
LABOR UNION DISAFFILIATION—PROBLEM OF CONTRACT BAR AND CONTRACT ASSUMPTION	278
MORALITY UNDER NATURALIZATION AND IMMIGRATION ACTS	125
NOTARY PUBLIC—A FORGOTTEN POWER	273
REMEDY IN TORT FOR WRONGFUL INTERFERENCE WITH TESTAMENTARY INTENT	253
TELEVISION AND CONGRESSIONAL INVESTIGATIONS	112
UNAUTHORIZED PRACTICE OF LAW: REMEDIAL PROCEDURES	108

## CASE NOTES

Agency—COMMUNICATIONS BETWEEN PHYSICIAN AND PATIENT WITHIN ATTORNEY-CLIENT RELATIONSHIP	291
Constitutional Law—DAMAGES FOR BREACH OF RESTRICTIVE COVENANTS	293
Constitutional Law—RIGHT TO COUNSEL IN NON-CAPITAL CASES	309

<i>Constitutional Law</i> —RIGHT TO WAGES WHILE VOTING . . . . .	284
<i>Constitutional Law</i> —TAX ON INTERSTATE COMMERCE . . . . .	144
<i>Domestic Relations</i> —DENIAL OF EQUITABLE ENFORCEMENT OF FOREIGN ALIMONY DECREE . . . . .	147
<i>Evidence</i> —ADMISSIBILITY OF DRUNKOMETER TESTS . . . . .	298
<i>Instructions to Jury</i> —REVERSIBLE ERROR WHEN GIVEN ONLY IN WORDS OF STATUTE . . . . .	301
<i>Labor Law</i> —INSULTING LANGUAGE ON THE PICKET LINE . . . . .	150
<i>Legislation</i> —SPECIAL STATUTES WITH CLASSIFICATION BY POPULATION . . . . .	306
<i>Procedure</i> —EFFECT OF FEDERAL REMOVAL STATUTE IN ACTIONS WHERE SECRETARY OF STATE IS SERVED AS STATUTORY AGENT . . . . .	153
<i>Procedure</i> —IMPOSITION OF FEDERAL PRACTICE ON STATE COURTS . . . . .	303
<i>Public Law</i> —ILLINOIS LIQUOR CONTROL ACT: CREDIT RESTRICTIONS . . . . .	287
<i>Torts</i> —RIGHT OF WIFE'S ADMINISTRATOR TO RECOVER FROM HUSBAND'S ESTATE UNDER WRONGFUL DEATH STATUTE . . . . .	296

### BOOK REVIEWS

AQUINAS: <i>Summa Theologica</i> , The Treatise on Law, Questions 90-97 Inclusive (Brendan F. Brown) . . . . .	312
BRAUCHER: Cases on Commercial Law (John F. Sembower) . . . . .	157
BRAUCHER and CORKER: Introduction to Commercial Law (John F. Sembower) . . . . .	157
BUSCH: Prisoners at the Bar; Guilty or Not Guilty (Daniel P. Ward) . . . . .	318
CHAFEE, SIMPSON, and MALONEY: Cases on Equity (John W. Curran) . . . . .	159
CORWIN: A Constitution of Powers in a Secular State (John P. Frank) . . . . .	156
DAVIS: Administrative Law (Charles H. Kinnane) . . . . .	163
DRESSLER: Probation and Parole (Ben S. Meeker) . . . . .	160
NEW YORK UNIVERSITY SCHOOL OF LAW: 1950 Annual Survey of American Law (Francis J. Seiter) . . . . .	162
SHOLLEY: Cases on Constitutional Law (Harry D. Taft) . . . . .	319

### TABLE OF CASES NOTED

CITY AND COUNTY OF SAN FRANCISCO v. SUPERIOR COURT . . . . .	291
CORRELL v. EARLY . . . . .	293
DAY-BRITE LIGHTING, INC. v. MISSOURI . . . . .	284
DICE v. AKRON, CANTON AND YOUNGSTOWN R. Co. . . . .	303
FITZGIBBONS v. HANCOCK . . . . .	309
GACA v. CITY OF CHICAGO . . . . .	306
MCWHORTER v. COMMONWEALTH . . . . .	150
NORTON COMPANY v. DEPARTMENT OF REVENUE OF THE STATE OF ILLINOIS . . . . .	144
PEOPLE v. BOBCZYK . . . . .	298
TAILBY v. TAILBY . . . . .	147
WALKER v. SHEA-MATSON TRUCKING CO. . . . .	301
WEISBERG v. TAYLOR . . . . .	287
WELCH v. DAVIS . . . . .	296
WELKER v. HEFNER . . . . .	153

## INDEX DIGEST

### A

#### ADMINISTRATIVE LAW

Book review: DAVIS: Administrative Law . . . . . 163-166

#### AGENCY

Communications between physician and patient within attorney-client relationship . . . . . 291-293

#### ATTORNEYS

Unauthorized practice: remedial procedures . . . . . 108-111

#### ATTRACTIVE NUISANCE

Allurement element . . . . . 263-268

### C

#### COMMERCIAL LAW

Book review: BRAUCHER: Cases on Commercial Law . . . . . 157-159

Book review: BRAUCHER and CORKER: Introduction to Commercial Law . . . . . 157-159

#### CONDITIONAL SALES

Chattel security and the Uniform Commercial Code . . . . . 93-94

#### CONFLICT OF LAWS

Denial of equitable enforcement of foreign alimony decree . . . 147-150

#### CONGRESS

Television and congressional investigations . . . . . 112-120

#### CONSTITUTIONAL LAW

Book review: CORWIN: A Constitution of Powers in a Secular State . . . . . 156-157

Book review: SHOLLEY: Cases on Constitutional Law . . . . . 319-320

Labor law—insulting language on the picket line . . . . . 150-152

Restrictive covenants and damages for breach . . . . . 293-296

Right to counsel in non-capital cases . . . . . 309-311

Right to wages while voting . . 284-287

State sales tax as a tax on interstate commerce . . . . . 144-147

Television and congressional investigations . . . . . 112-120

#### CONSTRUCTIVE EVICTION

Origin and evolution of constructive eviction in the United States . . . . . 69-90

#### CONTRACTS

Analysis of recent Illinois legislation concerning seals . . . . 250-252

Gratuitous undertakings and the duty of care . . . . . 30-68

Mutual assent in unilateral contracts since the Restatement 167-190

#### CRIMINAL LAW

Book review: BUSCH: Prisoners at the Bar; Guilty or Not Guilty . . . . . 318-319

Book review: DRESSLER: Probation and Parole . . . . . 160-161

Illinois Post-Conviction Hearing Act: a survey . . . . . 243-248

### D

#### DIVORCE

Denial of equitable enforcement of foreign alimony decree . . 147-150

#### DOMESTIC RELATIONS

Denial of equitable enforcement of foreign alimony decree . . 147-150

#### DRUNKOMETER

Admissibility of tests . . . . . 298-300

### E

#### EQUITY

Book review: CHAFEE, SIMPSON, and MALONEY: Cases on Equity . . . . . 159-160

Comparative intelligence doctrine in equity . . . . . 258-263

Denial of equitable enforcement of foreign alimony decree . . 147-150

#### EVIDENCE

Admissibility of drunkometer tests . . . . . 298-300

### F

#### FEDERAL PROCEDURE

Effect of federal removal statute in actions where Secretary of

- State is served as statutory agent . . . . . 153-155
- FEDERAL TORT CLAIMS ACT**  
Discretionary acts of federal employees . . . . . 120-125
- FIELD WAREHOUSING**  
Chattel security and the Uniform Commercial Code . . . . . 100-101
- G**
- GRATUITOUS PROMISES**  
Duty of care . . . . . 30-68
- I**
- ILLINOIS LIQUOR CONTROL ACT**  
Credit restrictions . . . . . 287-290
- ILLINOIS POST-CONVICTION HEARING ACT**  
Survey . . . . . 243-248
- IMMIGRATION**  
Morality under naturalization and immigration acts . . . . . 125-130
- INSTRUCTIONS TO JURY**  
Reversible error when given only in words of statute . . . . . 301-303
- INSURANCE**  
Change of beneficiary clauses and their interpretation . . . . . 268-273
- J**
- JOINT TENANCY**  
Creation and existence of joint tenancies in personal property . . . . . 135-143
- JURY**  
The art of jury persuasion . . . . . 1-29
- JURISPRUDENCE**  
Supreme Court and the natural law . . . . . 216-242
- K**
- KEFAUVER COMMITTEE**  
Television and congressional investigations . . . . . 112-120
- L**
- LABOR**  
Insulting language on the picket line . . . . . 150-152  
Right to wages while voting . . . . . 284-287
- Seniority provisions in contracts: social and economic consequences . . . . . 191-215  
Union disaffiliation—contract bar and contract assumption . . . . . 278-283
- LANDLORD AND TENANT**  
Origin and evolution of constructive eviction in the United States . . . . . 69-90
- LEGISLATION**  
Special statutes with classification by population . . . . . 306-309
- M**
- MORTGAGES**  
Chattel security and the Uniform Commercial Code . . . . . 91-106
- N**
- NATURAL LAW**  
Supreme Court and the natural law . . . . . 216-242
- NATURALIZATION**  
Morality under naturalization and immigration acts . . . . . 125-130
- NEGLIGENCE**  
Allurement element and attractive nuisance . . . . . 263-268
- NOTARY PUBLIC**  
Forgotten power . . . . . 273-278
- P**
- PERSONAL PROPERTY**  
Chattel security and the Uniform Commercial Code . . . . . 91-106  
Joint tenancy . . . . . 135-143
- PHILOSOPHY OF LAW**  
Book review: AQUINAS: Summa Theologica, The Treatise on Law, Questions 90-97 Inclusive . . . . . 312-318
- PHYSICIANS**  
Communications between physician and patient . . . . . 291-293
- PROCEDURE**  
Art of jury persuasion . . . . . 1-29  
Effect of federal removal statute in actions where Secretary of State is served as statutory agent . . . . . 153-155  
Imposition of federal practice on state courts . . . . . 303-306

R

REAL PROPERTY

- Breach of restrictive covenants 293-296
- Origin and evolution of constructive eviction in the United States . . . . . 69-90

S

SEALS

- Analysis of recent Illinois legislation concerning seals . . . . . 250-252

SECURITY

- Chattel security and the Uniform Commercial Code . . . . . 91-106

SENIORITY

- Provisions in labor contracts: social and economic consequences . . . . . 191-215

SPECIFIC PERFORMANCE

- Comparative intelligence doctrine in equity . . . . . 258-263

SUPREME COURT

- Supreme court and the natural law . . . . . 216-242

T

TAXATION

- State sales tax as tax on interstate commerce . . . . . 144-147

TELEVISION

- Congressional investigations . . 112-120

TORTS

- Allurement element and attractive nuisance . . . . . 263-268
- Discretionary acts of federal employees under the Federal Tort Claims Act . . . . . 120-125

- Gratuitous undertakings and the duty of care . . . . . 30-68
- Liability of storekeepers to those rightfully upon premises . . 130-135
- Remedy for wrongful interference with testamentary intent . . 253-258
- Right of wife's administrator to recover from husband's estate under wrongful death statute 296-298

TRIAL PRACTICE

- Art of jury persuasion . . . . . 1-29

TRIALS

- Book review: BUSCH: Prisoners at the Bar: Guilty or Not Guilty . . . . . 318-319

TRUST RECEIPTS

- Chattel security and the Uniform Commercial Code . . . . . 98-99

U

UNAUTHORIZED PRACTICE

- Remedial procedures . . . . . 108-111

UNIFORM COMMERCIAL CODE

- Chattel security comes of age . 91-106
- Mutual assent in unilateral contracts . . . . . 167-190

W

WILLS

- Remedy in tort for wrongful interference with testamentary intent . . . . . 253-258

WRONGFUL DEATH STATUTE

- Right of wife's administrator to recover from husband's estate under wrongful death statute . 296-298



